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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,239	08/01/2003	Chun Ying	CN920020005US1	2456
7590	07/18/2005		EXAMINER	
Louis P. Herzberg Intellectual Property Law Dept. IBM Corporation P.O. Box 218 Yorktown Heights, NY 10598			LE, DANH C	
			ART UNIT	PAPER NUMBER
			2683	
			DATE MAILED: 07/18/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/633,239	YING ET AL.	
	Examiner	Art Unit	
	DANH C. LE	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 August 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8,11,13-19 and 21-27 is/are rejected.
- 7) Claim(s) 9,10,12 and 20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/1/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/01/03 has been considered by the examiner and made of record in the application file.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence(s) of the specification or in an application data sheet by identifying the prior application by application number (37 CFR 1.78(a)(2) and (a)(5)). If the prior application is a non-provisional application, the specific reference must also include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

Claim Objections

3. Claims 13, 14 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 1-7 such as dependent on claim 3. See MPEP § 608.01(n). Accordingly, the claims 13, 14 not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. Claims 24-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 24-27, the limitations of the claims recited on the program coding software in which depends on claims 1 or 21 or 23 that describing the claims of the system.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5, 7, 8, 11, 15-19, 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Mousseau (US 2002/0194285).

As to claim 1, Mousseau teaches an environment aware message delivery system (figure 6 and paragraph 0020), comprising:

a portable message redirection agent carried by a user (214B); and
a message delivery service manager (202) for managing candidate message terminals to provide message delivery services for the user, wherein when the user moving over to a place, said message redirection agent cooperates with said message delivery service manager located in the environment around the user to select a message terminal from candidate message terminals in the environment ms a target message terminal, and request a message redirection entity to redirect the message addressed to the user to the target message terminal.

As to claim 2, Mousseau teaches a system according to claim 1, wherein said message redirection agent cooperates with said message delivery service manager in the environment around the user by means of a short range wireless communication network (paragraph 0071).

As to claim 3, Mousseau teaches a system according to claim 2, wherein said short range wireless communication network is Bluetooth wireless communication network (paragraph 0071).

As to claim 5, Mousseau teaches a system according to claim 1, wherein said message redirection agent runs in portable pervasive computing devices such as cell phone or PDA (214B).

As to claim 7, Mousseau teaches a system according to claim 1, wherein said message redirection entity is PBX (paragraph 0033).

As to claim 8, Mousseau teaches a system according to claim 1, wherein said message redirection agent comprises:

a message redirection service discoverer (202B) for sending service requests to said message delivery service manager, and receiving service information from said message delivery service manager;

a message redirection manager (202A) for maintaining a message redirection service list, configuring message redirection policy and selecting the target message terminal; and

a message redirection requester for requesting message redirection service from the message re-direction entity (paragraph 0053).

As to claim 11, Mousseau teaches a system according of claim 1, wherein said message redirection agent comprises a message redirection service discoverer for sending service requests to said message delivery service manager (paragraph 0053).

As to claim 15, Mousseau teaches a system according to claim 1, wherein said system comprises a plurality of message delivery service managers, running in various message terminals respectively (paragraph 0080).

As to claim 16, the limitation of the claim is the same limitation of claim 8; therefore the claim is interpreted and rejected as set forth as claim 8.

As to claim 17, Mousseau teaches a system according to claim 16, wherein said message delivery service manager comprises a service request handler for authenticating the message redirection agent and sending service information on-demand to the message redirection agent (paragraph 0046).

As to claim 18, Mousseau teaches a system according to claim 17, wherein said message delivery service manager further comprises a service advertiser for periodically sending message redirection service information to nearby message redirection agents (since the system connects to the web which is periodically received the advertise from the web).

As to claim 19, the limitation of the claim is the same limitation of claim 8; therefore the claim is interpreted and rejected as set forth as claim 8.

As to claim 21, the claim is a method claim of claim 1; therefore the claim is interpreted and rejected as set forth as claim 1.

As to claim 22, the claim is an apparatus claim of claim 1; therefore the claim is interpreted and rejected as set forth as claim 1.

As to claim 23, Mousseau teaches a message delivery service manager (figure 6, 202), characterized by:

when a user moves over to a place, said message delivery service manager in the environment around the user cooperating with a portable message redirection agent carried by the user, selects a message terminal from the candidate message terminals in the environment as a target message terminal and requests a message redirection entity to redirect the message addressed to the user to the target message terminal.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mousseau in view of Zhu (US 2003/0134596).

As to claim 4, Mousseau teaches a system according to claim 1, Mousseau fails to teach said message redirection agent cooperates with said message delivery service manager in the environment around the user by means of a USB interface. Zhu teaches the message redirection agent cooperates with said message delivery service

manager in the environment around the user by means of a USB interface (paragraph 010). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Zhu into the system of Mousseau in order to transmit and receive the data for the system.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mousseau in view of Logan (US 2005/0054290).

As to claim 6, Mousseau teaches a system according to claim 1, Mousseau fails to teach said message redirection agent runs in Blue badges. Logan teaches the message redirection agent runs in Blue badges (paragraph 0058). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Logan into the system of Mousseau in order to local certain users who carry the blue bagde.

Allowable Subject Matter

Claims 9, 10, 12 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 9, 10, 12 and 20, the combination of above prior arts either alone or in combination fails to teach the message delivery service manager comprises a service request handler for authenticating the message redirection agent and sending service information on-demand to the message redirection agent, a service availability detector for checking the status of the candidate message terminals in the environment and updating the message delivery service list according to the checking result and a

message delivery service configurator for configuring the available message delivery services, such as authorizing who can access these services.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- A. Mousseau et al (US 6,438,585) teaches system and method for redirecting message attachments between host system and a mobile data communication device.
- B. Asthana et al (US 2004/0185877) teaches system and method for management and information process from a mobile data communication device.
- C. Pulkkinen et al (US 2003/0027386) teaches method and system for selectively processing from a mobile data communication device.
- D. Jenkins (US 2004/0214550) teaches system and method of accessing and recording messages at coordinate way point.
- E. Scheinert et al (US 2003/0134613) teaches communication network with redirection of wireless communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

danh

July 13, 2005

DO NH CONG LE
PATENT EXAMINER